IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
FOURTH DIVISION

Mathew A. McPherson, A resident of Wisconsin, Plaintiff v. Elite Outdoors, LLC, A New York Corporation, Defendant	Civil Action No. _____ JURY DEMANDED COMPLAINT FOR PATENT INFRINGEMENT

COMPLAINT FOR PATENT INFRINGEMENT
RELATED TO U.S. PATENT NUMBER 6,035,840

Plaintiff, Mathew A. McPherson by and through his attorneys, and for his Complaint for patent infringement related to U.S. Patent No. 6,035,840, states as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement under 35 U.S.C. §271 and other relevant provisions of the U.S. Patent Laws. Through this action, Mathew A. McPherson ("McPherson") seeks damages and a permanent injunction preventing Defendant, Elite Outdoors, LLC, ("ELITE") from continuing to make, use, sell, or offer to sell or importing a cam and/or a compound bow that infringes Mathew A. McPherson's United States Patent Nos. 6,035,840 ("the '840 patent"), a copy of which is attached hereto as **Exhibit 1**. A copy of the file history of the '840 patent is attached hereto as **Exhibit 2**.

2. This Court has subject matter jurisdiction over this controversy concerning patent

infringement by Defendants, by virtue of Title 35 U.S.C. §271 and §281, and Title 28 U.S.C. §1331 and §1338(a).

3. This Court has personal jurisdiction over Defendant by virtue of, among other basis, that the Defendant has transacted business in the State of Minnesota, engaged in tortuous acts within the State of Minnesota and/or have contacts within the State of Minnesota commensurate with the U.S. and the Minnesota Constitutions and Statutes, so as to submit themselves to the jurisdiction and process of this Court. At least one commercial advertisement showing dealers which have purchased the infringing bows and/or infringing cams for resale in the State of Minnesota is attached hereto, and is incorporated herein by reference as **Exhibit 3**. On information and belief, Defendant has sold and is continuing to sell infringing cams as an element of infringing compound bows, in violation of Plaintiff's rights in the '840 patent, within the State of Minnesota.

4. Venue is proper in this District by virtue of Title 28 U.S.C. §1391(b), §1391(c), and §1400(b). ELITE has extensive contacts and substantial ongoing business activities in Minnesota, including this District. ELITE has transacted business and committed acts of infringement in this District, and this action arises from the transaction of that business and that infringement.

THE PARTIES

5. Mathew A. McPherson is an individual residing at 19055 Incline Road, in Norwalk, Wisconsin, 54648.

6. ELITE is a corporation organized and existing under the laws of the State of New York having its principal place of business at 235 Middle Road, Henrietta, NY 14467.

7. Mathew A. McPherson is the inventor and owner of the ‘840 patent, which is licensed to Mathews Inc., in which Mathew McPherson is the majority stockholder, and which sells products which embody the invention as claimed by one or more of the claims of the ‘840 patent. On a date prior to December 23, 1996, Mathew McPherson conceived and reduced to practice an invention entitled “Cam” as described in U.S. Patent No. 6,035,840. Patent application 09/032,603 related to the invention was filed on February 27, 1998, which claimed priority to an application 08/772,360 filed December 23, 1996. The applications were fully examined and the ‘840 patent eventually was duly and legally issued on March 14, 2000.

8. The Cam and Compound Bow products covered by the ‘840 patent have been sold and are now being sold in the United States by Mathews Inc.

9. Since issuance of the ‘840 patent, Plaintiff, Mathew McPherson, through his licensee Mathews Inc., has been manufacturing, marketing and selling Cam and Compound Bows in accordance with the ‘840 patent. The cam and bow products sold by Mathews Inc. have experienced substantial commercial success in the marketplace.

10. ELITE is on actual notice of the alleged infringement by ELITE of the ‘840 patent.

ELITE'S PRODUCTS

11. Before December 31, 2009, Mathews Inc. acquired an ELITE Z-28 Compound Bow to study the Cam and Compound Bow against the claims of the '840 patent. During December of 2009 and January of 2010 it was determined that the ELITE Z-28 Compound Bow infringed one or more claims of the '840 patent.

12. At least as early as June 17, 2010, Mathews Inc. placed defendant on actual notice that it's ELITE Z-28 Compound Bow infringed one or more claims of the '840 patent.

13. After August 23, 2010, defendant began manufacturing and selling a 2011 ELITE Pulse Compound Bow and 2011 ELITE Pure Compound Bow.

14. On or before June 1, 2011 it was determined that the ELITE Pulse Compound Bow and ELITE Pure Compound Bow infringed one or more claims of the '840 patent.

15. At least as early as June 14, 2011 Mathews Inc. placed defendant on actual notice that it's ELITE Pulse Compound Bow and ELITE Pure Compound Bow infringed one or more of the claims of the '840 patent.

INFRINGEMENT

16. Upon information and belief, as late as October 14, 2011, ELITE dealers continued to sell the ELITE Pulse Compound Bow and ELITE Pure Compound Bow.

17. Upon information and belief, as late as June 1, 2011, ELITE dealers continued to sell the ELITE Z-28 Compound Bow.

18. Upon information and belief, Defendant ELITE continues to manufacture and sell the 2011 ELITE Pulse Compound Bow and ELITE Pure Compound Bow.

19. Upon information and belief, Defendant manufactures, uses, sells, offers to sell, or imports at least one Cam which falls within the scope of at least one claim of the ‘840 patent.

20. Upon information and belief, Defendant manufactures, uses, sells, offers to sell, or imports at least one Compound Bow product with a Cam which falls within the scope of at least one claim of the ‘840 patent.

21. Upon information and belief, Defendant, is now infringing, and has infringed, either literally or under the doctrine of equivalents, one or more claims of the ‘840 patent by developing, making, using, selling, importing or offering for sale one or more Cam and/or Compound Bow devices within this judicial district.

22. With respect to the ELITE Z-28 Compound Bow, on information and belief, Defendant is now infringing, and has infringed, either literally or under the doctrine of equivalents, at least claims 1, 2, 3, 5, 6, 8, 13, 15, 16 and 17 of the ‘840 patent by developing, making, using, selling, importing or offering for sale one or more Cam and/or Compound Bows within this judicial district.

23. With respect to the ELITE PULSE Compound Bow, on information and belief, Defendant is now infringing, and has infringed, either literally or under the doctrine of equivalents, at least claims 1, 2, 3, 5, 6, 8, 13, 15, 16 and 17 of the ‘840 patent by developing, making, using, selling, importing or offering for sale one or more Cam and/or Compound Bows within this judicial district.

24. With respect to the ELITE PURE Compound Bow, on information and belief, Defendant is now infringing, and has infringed, either literally or under the doctrine of

equivalents, at least claims 1, 2, 3, 5, 6, 8, 13, 15, 16, and 17 of the ‘840 patent by developing, making, using, selling, importing or offering for sale one or more Cam and/or Compound Bows within this judicial district.

25. Defendant’s infringement of Mathew McPherson’s rights under the ‘840 patent is injuring Mathew McPherson and, if such infringement does not cease, will continue to injure Mathew McPherson causing irreparable harm for which there is no adequate remedy at law.

26. Defendant’s infringement has been, and continues to be, willful and deliberate.

27. Plaintiff realleges paragraphs 1-26 in their entireties.

THE INFRINGING DEVICES

The Z-28 Bow

28. Upon information and belief, Defendant’s manufactured a bow called the Z-28 Bow in the United States, which continues to be offered for sale through Defendant ELITE's dealer network in the United States.

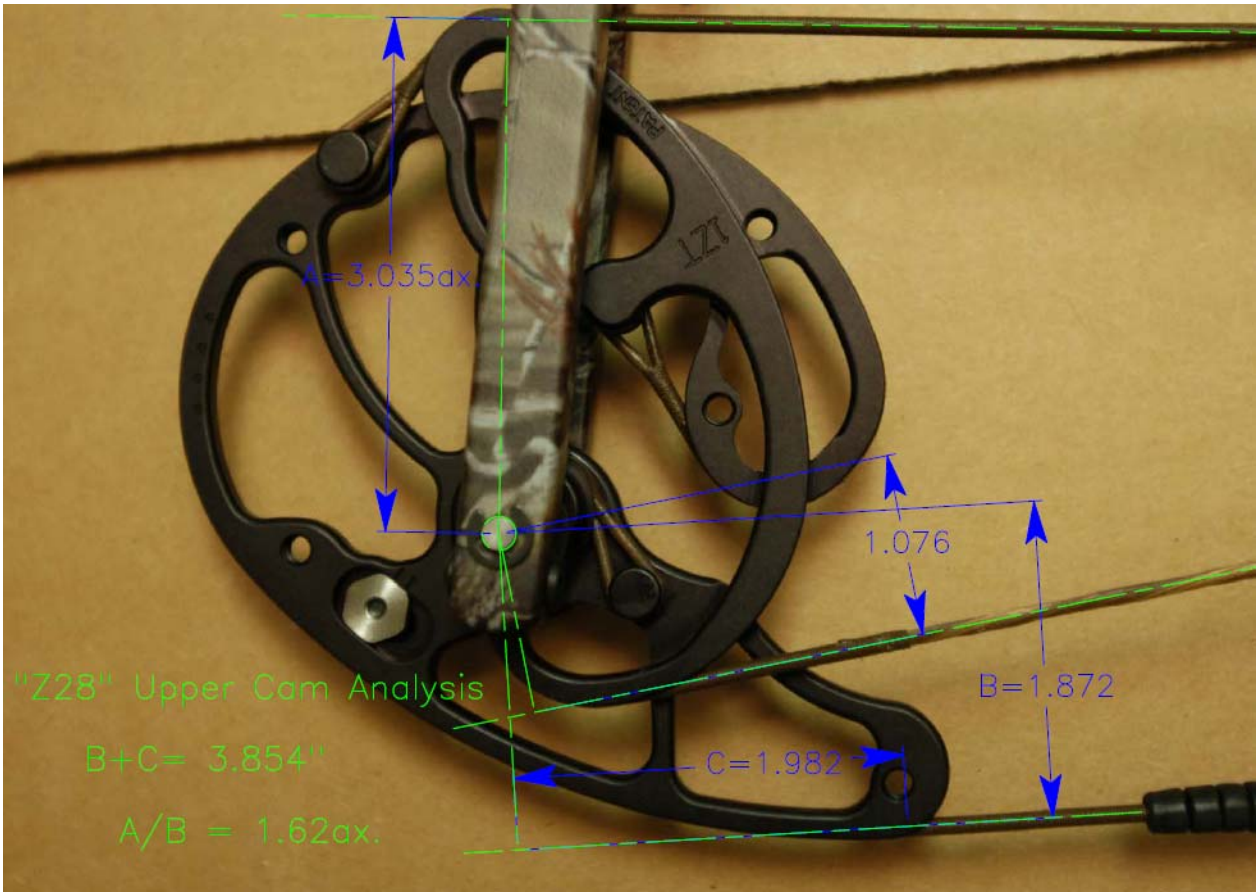
29. Upon information and belief, Defendant’s manufactures, or has manufactured on its behalf, at least one Cam which Defendant, ELITE has included on the Z-28 Bow in the United States, which continues to be offered for sale through Defendant ELITE's dealer network in the United States.

30. On information and belief, Defendant, ELITE’s Z-28 Compound Bow, and the Cam included on the Z-28 Compound Bow, falls within the scope of at least claims 1, 2, 3, 5, 6, 8, 13, 15, 16 and 17 of the ‘840 patent.

31. On information and belief the Cam as included on Defendant, ELITE's Z-28 Compound Bow as sold either individually or on any bow product of ELITE, falls within the scope of at least claims 1, 2, 3 5, 6, 8, 13, 15, 16 and 17 of the '840 patent.

The Z-28 Bow Upper Cam

32. The following photo shows the Z-28 Upper Cam:



33. With respect to claim 1 of the '840 patent and the ELITE Z-28 upper cam shown

in paragraph 32, the ELITE Z-28 upper cam is an elliptically shaped Cam for use with a Compound Bow.

34. With respect to claim 1 of the ‘840 patent and the ELITE Z-28 upper cam shown in paragraph 32, the ELITE Z-28 upper cam has an elliptically shaped non-circular cam body having a rotation point for journaling the body to a bow limb.

35. With respect to claim 1 of the ‘840 patent and the ELITE Z-28 upper cam shown in paragraph 32, the cam body has a rest position and a drawn position in use with respect to the bow limb.

36. With respect to claim 1 of the ‘840 patent and the ELITE Z-28 upper cam shown in paragraph 32, the cam body is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.872 inches plus the distance of 1.982 inches, equals 3.854 inches, which is greater than 3 inches.

37. With respect to claim 2 of the ‘840 patent and the ELITE Z-28 upper cam shown in paragraph 32, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 3.035 inches divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.872 inches, or 3.035/1.872 = 1.62, which is between 1 and 3.

38. With respect to claim 3 of the ‘840 patent and the ELITE Z-28 upper cam shown in paragraph 32, the cam body is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three

inches, namely the distance of 1.872 inches plus the distance of 1.982 inches, equals 3.854 inches, is greater than 3 inches, and the cam body has a lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 3.035 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.872, or 3.035/1.872 = 1.62, which is approximately 1.6.

39. With respect to claim 5 of the ‘840 patent and the ELITE Z-28 upper cam shown in paragraph 32, the cam is mounted in a dual cam bow where the effective bowstring length is less than or equal to 92% of the axle to axle length of the bow, namely the axle to axle length is 32.5 inches and the effective bowstring length is 32.5 – (1.982 inches plus 2.015) = 28.503 inches, and 28.503/32.5*100 = 87.70%, which is less than 92%.

40. With respect to claim 6 of the ‘840 patent and the ELITE Z-28 upper cam shown in paragraph 32, the cam body includes an extension arm which extends a peripheral groove of the cam body.

41. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow is a compound bow.

42. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow has a pair of flexible resilient first and second bow limbs each bow limb having an inner and outer end.

43. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow has a handle connecting the inner ends of the bow limbs.

44. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow has a rotating

member attached to the outer end of each bow limb.

45. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow has a bowstring arranged relative to the rotating members such that in use the bow has a rest position and a drawn position, such that when the bow is moved to the drawn position by pulling the bowstring each rotation member rotates about a rotation point and the bow limbs are flexed to store energy, and when the bowstring is released the rotating members rotate in the opposite direction and the bow limbs un-flex, where the movement of the bowstring and the bow limbs creates a forward force on the bow when the bow returns to the rest position.

46. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow has at least one of the rotating members having an elliptically shaped cam body.

47. With respect to claim 8 of the ‘840 patent and the ELITE Z-28 Bow, the upper cam as shown in paragraph 32, is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.872 inches plus the distance of 1.982 inches, equals 3.854 inches, which is greater than 3 inches.

48. With respect to claim 13 of the ‘840 patent, the upper cam of the ELITE Z-28 Bow has a cam body where the cam body has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 3.035 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.872, or 3.035/1.872 = 1.62, which is between 1 and 3 and has an effective string length which is less than or equal to 95% of the axle to axle length of

the bow, namely the axle to axle length is 32.5 inches and the effective bowstring length is 32.5 – (1.982 inches plus 2.015) = 28.503 inches, and 28.503/32.5*100 = 87.70%, which is less than 95%.

49. With respect to claim 15 of the ‘840 patent, the ELITE Z-28 upper cam shown in paragraph 32, is a cam having a non-circular cam body having a rotation point for journaling the body to a bow limb the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.872 inches plus the distance of 1.982 inches, equals 3.854 inches, is greater than 3 inches.

50. With respect to claim 16 of the ‘840 patent and the ELITE Z-28 upper cam shown in paragraph 32, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 3.035 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.872, or 3.035/1.872 = 1.62, which is between 1 and 3.

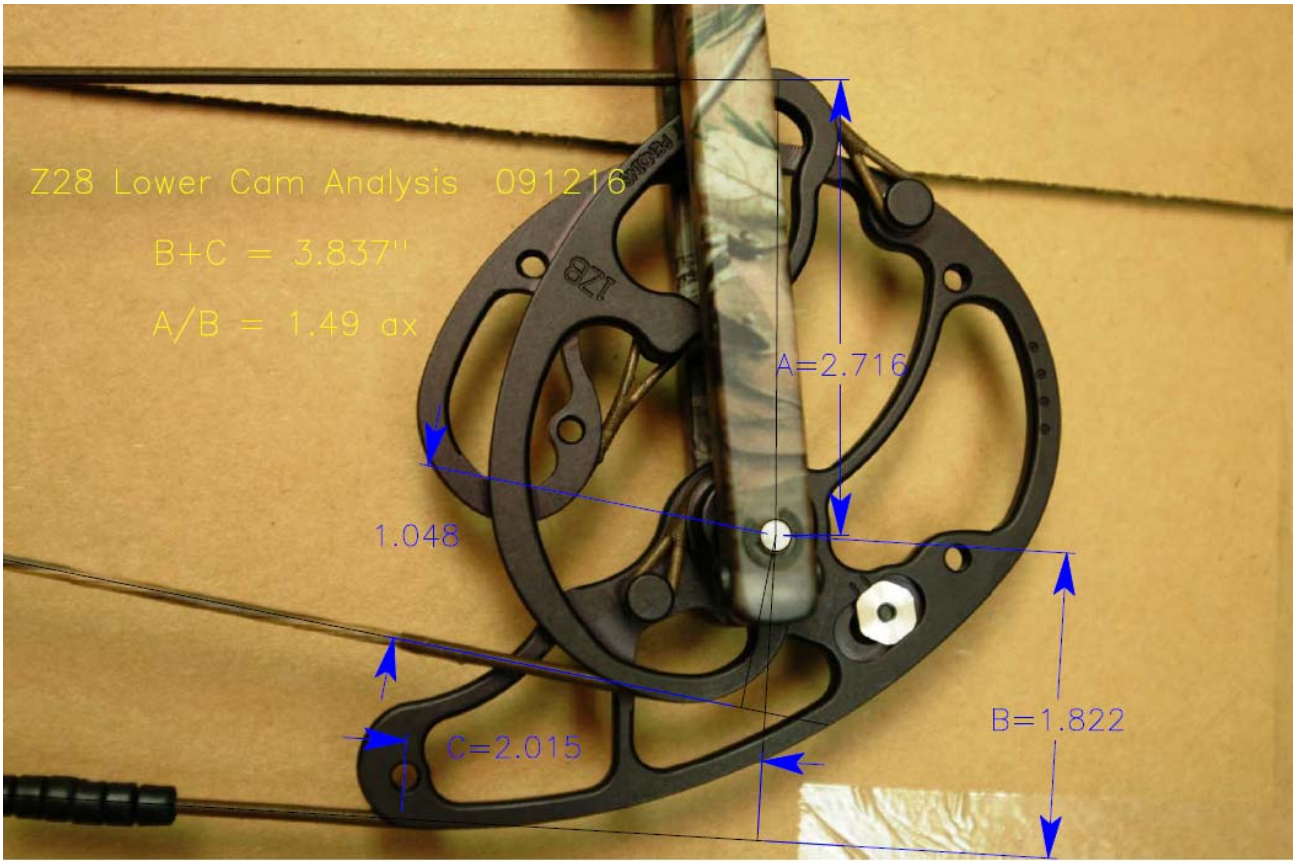
51. With respect to claim 17 of the ‘840 patent, the ELITE Z-28 Bow has a Cam where the cam body has a rotation point for journaling the cam body to a bow limb, the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.872 inches plus the distance of 1.982 inches, equals 3.854 inches, is greater than 3 inches, and where the cam body has a lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the

perpendicular of the tangent of the cable contact point, or 3.035 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.872, or 3.035/1.872 = 1.62, which is approximately 1.6.

52. Plaintiff realleges paragraphs 1-51 herein.

The Z-28 Bow Lower Cam

53. The following photo shows the Z-28 Lower Cam:



54. With respect to claim 1 of the ‘840 patent and the ELITE Z-28 lower cam shown

in paragraph 53, the ELITE Z-28 lower cam is an elliptically shaped cam for use with a compound bow.

55. With respect to claim 1 of the ‘840 patent and the ELITE Z-28 lower cam shown in paragraph 53, the ELITE Z-28 lower cam has an elliptically shaped non-circular cam body having a rotation point for journaling the body to a bow limb.

56. With respect to claim 1 of the ‘840 patent and the ELITE Z-28 lower cam shown in paragraph 53, the cam body has a rest position and a drawn position in use with respect to the bow limb.

57. With respect to claim 1 of the ‘840 patent and the ELITE Z-28 lower cam shown in paragraph 53, the cam body is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.822 inches plus the distance of 2.015 inches, equals 3.837 inches, is greater than 3 inches.

58. With respect to claim 2 of the ‘840 patent and the ELITE Z-28 lower cam shown in paragraph 53, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.716 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.822, or 2.716/1.822 = 1.49, which is between 1 and 3.

59. With respect to claim 3 of the ‘840 patent and the ELITE Z-28 lower cam shown in paragraph 53, the cam body is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three

inches, namely the distance of 1.822 inches plus the distance of 2.015 inches, equals 3.837 inches, is greater than 3 inches, and the cam body has a lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.716 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.822, or 2.716/1.822 = 1.49, which is approximately 1.6.

60. With respect to claim 5 of the ‘840 patent and the ELITE Z-28 lower cam shown in paragraph 53, the cam is mounted in a dual cam bow where the effective bowstring length is less than or equal to 92% of the axle to axle length of the bow, namely the axle to axle length is 32.5 inches and the effective bowstring length is 32.5 – (1.982 inches plus 2.015) = 28.503 inches, and 28.503/32.5*100 = 87.70%, which is less than 92%.

61. With respect to claim 6 of the ‘840 patent and the 2011 ELITE Z-28 lower cam shown in paragraph 53, the cam body includes an extension arm which extends a peripheral groove of the cam body.

62. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow is a compound bow.

63. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow has a pair of flexible resilient first and second bow limbs each bow limb having an inner and outer end.

64. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow has a handle connecting the inner ends of the bow limbs.

65. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow has a rotating

member attached to the outer end of each bow limb.

66. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow has a bowstring arranged relative to the rotating members such that in use the bow has a rest position and a drawn position, such that when the bow is moved to the drawn position by pulling the bowstring each rotation member rotates about a rotation point and the bow limbs are flexed to store energy, and when the bowstring is released the rotating members rotate in the opposite direction and the bow limbs un-flex, where the movement of the bowstring and the bow limbs creates a forward force on the bow when the bow returns to the rest position.

67. With respect to claim 8 of the ‘840 patent, the ELITE Z-28 Bow has at least one rotating member having an elliptically shaped cam body.

68. With respect to claim 8 of the ‘840 patent and the ELITE Z-28 Bow, the lower Cam is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.822 inches plus the distance of 2.015 inches, equals 3.837 inches, which is greater than 3 inches.

69. With respect to claim 13 of the ‘840 patent, the ELITE Z-28 Bow has a cam body where the cam body has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.716 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.822, or 2.716/1.822 = 1.49, which is between 1 and 3 and has an effective string length which is less than or equal to 95% of the axle to axle length of the bow, namely the

axle to axle length is 32.5 inches and the effective bowstring length is 32.5 – (1.982 inches plus 2.015) = 28.503 inches, and 28.503 / 32.5*100 = 87.70%, which is less than 95%.

70. With respect to claim 15 of the ‘840 patent, the ELITE Z-28 lower cam shown in paragraph 53, is a cam having a non-circular cam body having a rotation point for journaling the body to a bow limb the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.822 inches plus the distance of 2.015 inches, equals 3.837 inches, is greater than 3 inches.

71. With respect to claim 16 of the ‘840 patent and the ELITE Z-28 lower cam shown in paragraph 53, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.716 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.822, or 2.716/1.822 = 1.49, which is between 1 and 3.

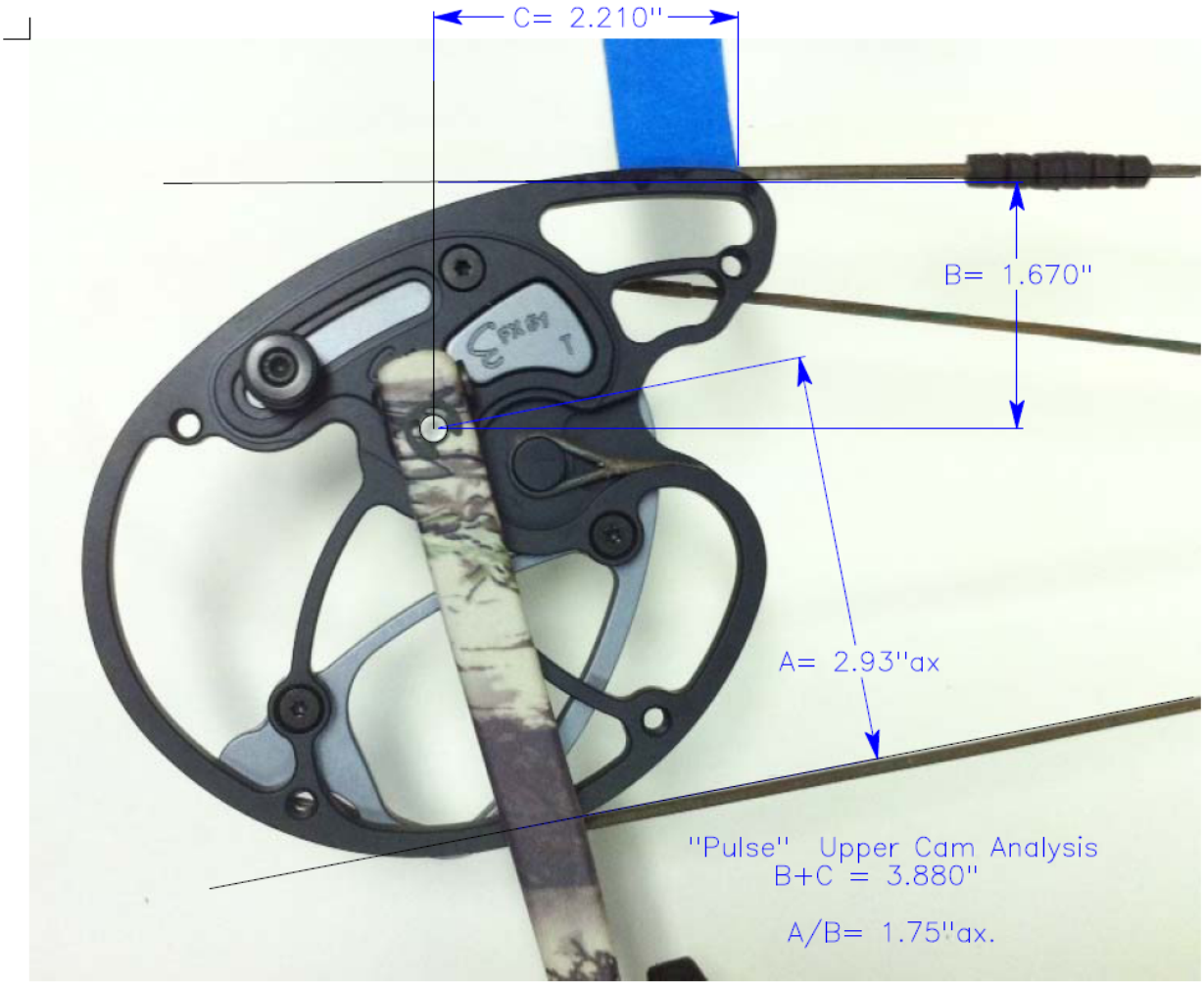
72. With respect to claim 17 of the ‘840 patent, the ELITE Z-28 Bow has a lower cam where the cam body has a rotation point for journaling the cam body to a bow limb, the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.822 inches plus the distance of 2.015 inches, equals 3.837 inches, is greater than 3 inches, and where the cam body has a lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.716 divided by the distance between

the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.822, or 2.716/1.822 = 1.49, which is approximately 1.6.

73. Plaintiff realleges paragraphs 1-72 herein.

The 2011 ELITE PULSE Bow Upper Cam

74. The following photo shows the 2011 ELITE Pulse upper cam of the 2011 ELITE Pulse Bow:



75. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pulse upper cam shown in paragraph 74, ELITE Pulse upper cam is an elliptically shaped cam for use with a compound bow.

76. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pulse upper cam shown in paragraph 74, ELITE Pulse upper cam has an elliptically shaped non-circular cam body having a rotation point for journaling the body to a bow limb.

77. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pulse upper cam shown in paragraph 74, the cam body has a rest position and a drawn position in use with respect to the bow limb.

78. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pulse upper cam shown in paragraph 74, the cam body is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.670 inches plus the distance of 2.210 inches, equals 3.880 inches, is greater than 3 inches.

79. With respect to claim 2 of the ‘840 patent and the 2011 ELITE Pulse upper cam shown in paragraph 74, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.93 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.670 inches, or 2.93/1.670 = 1.754, which is between 1 and 3.

80. With respect to claim 3 of the ‘840 patent and the 2011 ELITE Pulse upper cam shown in paragraph 74, the cam body is constructed and arranged such that the sum of the two

sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.670 inches plus the distance of 2.210 inches, equals 3.880 inches, is greater than 3 inches, and the cam body has a lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.93 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.670, or 2.93/1.670 = 1.754, which is approximately 1.6.

81. With respect to claim 5 of the ‘840 patent and the 2011 ELITE Pulse upper cam shown in paragraph 74, the cam is mounted in a dual cam bow where the effective bowstring length is less than or equal to 92% of the axle to axle length of the bow, namely the axle to axle length is 34.25 inches and the effective bowstring length is 34.25 – (2.210 inches plus 2.181) = 29.859 inches, and 29.859/34.25*100 = 87.18%, which is less than 92%.

82. With respect to claim 6 of the ‘840 patent and the 2011 ELITE Pulse upper cam shown in paragraph 74, the cam body includes an extension arm which extends a peripheral groove of the cam body.

83. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow is a compound bow.

84. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow has a pair of flexible resilient first and second bow limbs each bow limb having an inner and outer end.

85. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow has a handle connecting the inner ends of the bow limbs.

86. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow has a rotating member attached to the outer end of each bow limb.

87. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow has a bowstring arranged relative to the rotating members such that in use the bow has a rest position and a drawn position, such that when the bow is moved to the drawn position by pulling the bowstring each rotation member rotates about a rotation point and the bow limbs are flexed to store energy, and when the bowstring is released the rotating members rotate in the opposite direction and the bow limbs un-flex, where the movement of the bowstring and the bow limbs creates a forward force on the bow when the bow returns to the rest position.

88. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow has at least one of the rotating members having an elliptically shaped cam body.

89. With respect to claim 8 of the ‘840 patent and the 2011 ELITE Pulse Bow, the upper cam is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.670 inches plus the distance of 2.210 inches, equals 3.880 inches, is greater than 3 inches.

90. With respect to claim 13 of the ‘840 patent, the 2011 ELITE Pulse Bow has a cam body where the cam body has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.93 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.670, or 2.93/1.670 = 1.754, which is between 1 and 3 and has an effective

string length which is less than or equal to 95% of the axle to axle length of the bow, namely the axle to axle length is 34.25 inches and the effective bowstring length is 34.25 – (2.210 inches plus 2.181) = 29.859 inches, and 29.859/34.25*100 = 87.18%, which is less than 95%.

91. With respect to claim 15 of the ‘840 patent, the 2011 ELITE Pulse upper cam shown in paragraph 74, is a cam having a non-circular cam body having a rotation point for journaling the body to a bow limb, the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.670 inches plus the distance of 2.210 inches, equals 3.880 inches, is greater than 3 inches.

92. With respect to claim 16 of the ‘840 patent and the 2011 ELITE Pulse upper cam shown in paragraph 74, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.93 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.670, or 2.93/1.670 = 1.754, which is between 1 and 3.

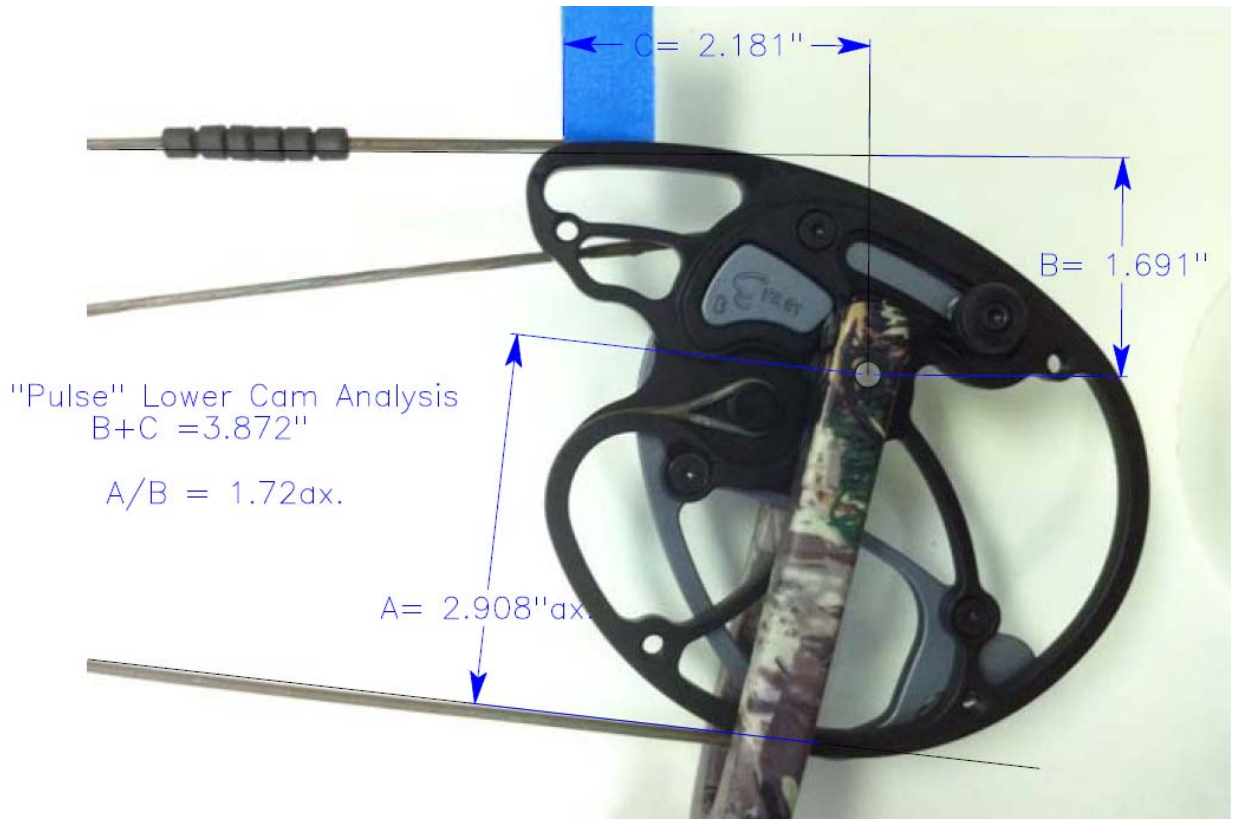
93. With respect to claim 17 of the ‘840 patent, the 2011 ELITE Pulse Bow has an upper cam where the cam body has a rotation point for journaling the cam body to a bow limb, the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.670 inches plus the distance of 2.210 inches, equals 3.880 inches, which is greater than 3 inches, and where the cam body has a

lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.93 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.670, or 2.93/1.670 = 1.754, which is approximately 1.6.

94. Plaintiff realleges paragraphs 1-93 herein.

The 2011 ELITE PULSE Bow Lower Cam

95. The following photo shows the 2011 ELITE Pulse lower cam of the 2011 ELITE Pulse Bow:



96. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pulse lower cam shown in paragraph 95, the ELITE Pulse lower cam is an elliptically shaped cam for use with a compound bow.

97. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pulse lower cam shown in paragraph 95, the ELITE Pulse lower cam has an elliptically shaped non-circular cam body having a rotation point for journaling the body to a bow limb.

98. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pulse lower cam shown in paragraph 95, the cam body has a rest position and a drawn position in use with respect to the bow limb.

99. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pulse lower cam shown in paragraph 95, the cam body is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.691 inches plus the distance of 2.181 inches, equals 3.872 inches, which is greater than 3 inches.

100. With respect to claim 2 of the ‘840 patent and the 2011 ELITE Pulse lower cam shown in paragraph 95, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.908 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.691, or 2.908/1.691 = 1.72, which is between 1 and 3.

101. With respect to claim 3 of the ‘840 patent and the 2011 ELITE Pulse lower cam shown in paragraph 95, the cam body is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.691 inches plus the distance of 2.181 inches, equals 3.872 inches, which is greater than 3 inches, and the cam body has a lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.908 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.691, or 2.908/1.691 = 1.72, which is approximately 1.6.

102. With respect to claim 5 of the ‘840 patent and the 2011 ELITE Pulse lower cam shown in paragraph 95, the cam is mounted in a dual cam bow where the effective bowstring length is less than or equal to 92% of the axle to axle length of the bow, namely the axle to axle length is 34.25 inches and the effective bowstring length is 34.25 – (2.210 inches plus 2.181) = 29.859 inches, and 29.859/34.25*100 = 87.18%, which is less than 92%.

103. With respect to claim 6 of the ‘840 patent and the 2011 ELITE Pulse lower cam shown in paragraph 95, the cam body includes an extension arm which extends a peripheral groove of the cam body.

104. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow is a compound bow.

105. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow has a pair of flexible resilient first and second bow limbs each bow limb having an inner and outer end.

106. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow has a handle connecting the inner ends of the bow limbs.

107. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow has a rotating member attached to the outer end of each bow limb.

108. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow has a bowstring arranged relative to the rotating members such that in use the bow has a rest position and a drawn position, such that when the bow is moved to the drawn position by pulling the bowstring each rotation member rotates about a rotation point and the bow limbs are flexed to store energy, and when the bowstring is released the rotating members rotate in the opposite direction and the bow limbs un-flex, where the movement of the bowstring and the bow limbs creates a forward force on the bow when the bow returns to the rest position.

109. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow has at least one of the rotating members having an elliptically shaped cam body.

110. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pulse Bow lower cam is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.691 inches plus the distance of 2.181 inches, equals 3.872 inches, is greater than 3 inches.

111. With respect to claim 13 of the ‘840 patent, the 2011 ELITE Pulse Bow has a cam body where the cam body has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.908 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring

contact point, or 1.691, or 2.908/1.691 = 1.72, which is between 1 and 3 and has an effective string length which is less than or equal to 95% of the axle to axle length of the bow, namely the axle to axle length is 34.25 inches and the effective bowstring length is 34.25 – (2.210 inches plus 2.181) = 29.859 inches, and 29.859 / 34.25*100 = 87.18%, which is less than 95%.

112. With respect to claim 15 of the ‘840 patent, the 2011 ELITE Pulse lower cam shown in paragraph 95, is a cam having a non-circular cam body having a rotation point for journaling the body to a bow limb, the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.691 inches plus the distance of 2.181 inches, equals 3.872 inches, is greater than 3 inches.

113. With respect to claim 16 of the ‘840 patent and the 2011 ELITE Pulse lower cam shown in paragraph 95, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.908 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.691, or 2.908/1.691 = 1.72, which is between 1 and 3.

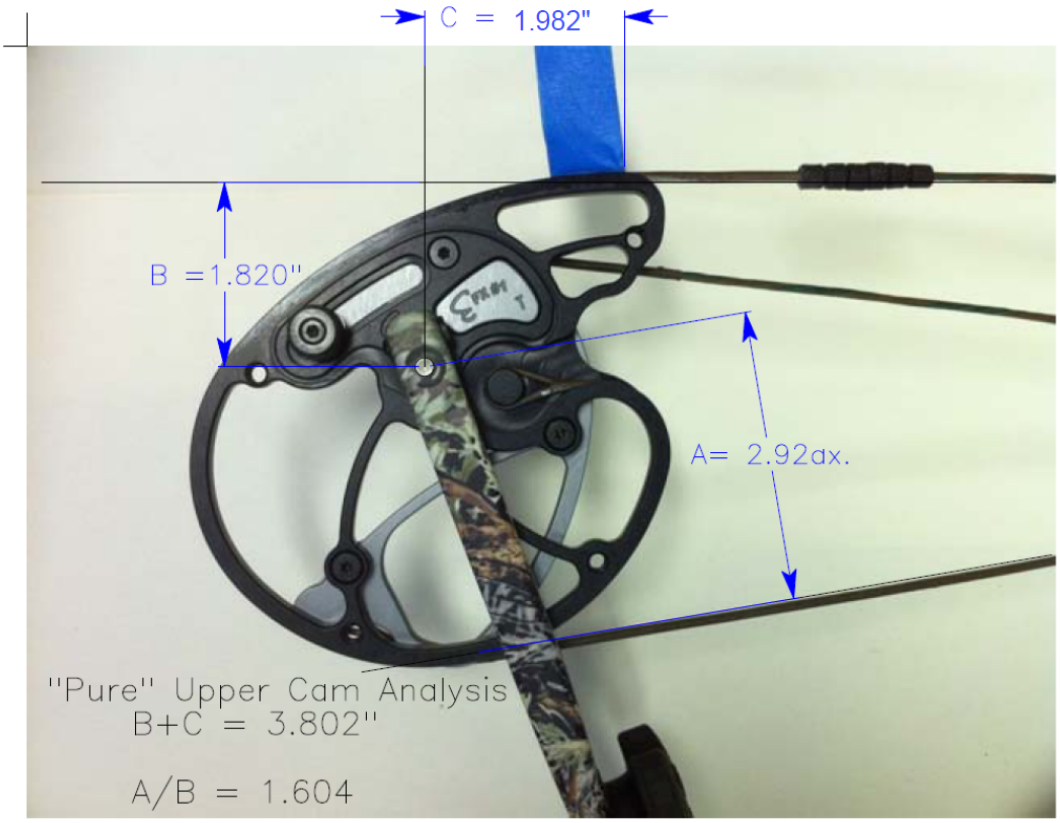
114. With respect to claim 17 of the ‘840 patent and the 2011 ELITE Pulse Bow, the 2011 ELITE Pulse Bow has a lower cam where the cam body has a rotation point for journaling the cam body to a bow limb, the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.691

inches plus the distance of 2.181 inches, equals 3.872 inches, which is greater than 3 inches, and where the cam body has a lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.908 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.691, or 2.908/1.691 = 1.72, which is approximately 1.6.

115. Plaintiff realleges paragraphs 1-114 herein.

The 2011 ELITE PURE Bow Upper Cam

116. The following photo shows the 2011 ELITE Pure upper cam of the 2011 ELITE Pure Bow.



117. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pure upper cam shown in paragraph 116, the ELITE Pure upper cam is an elliptically shaped cam for use with a compound bow.

118. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pure upper cam shown in paragraph 116, the ELITE Pure upper cam has an elliptically shaped non-circular cam body having a rotation point for journaling the body to a bow limb.

119. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pure upper cam shown in paragraph 116, the cam body has a rest position and a drawn position in use with respect to the bow limb.

120. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pure upper cam shown in paragraph 116, the cam body is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.820 inches plus the distance of 1.982 inches, equals 3.802 inches, is greater than 3 inches.

121. With respect to claim 2 of the ‘840 patent and the 2011 ELITE Pure upper cam shown in paragraph 116, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.92 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.820, or 2.92/1.820 = 1.604, which is between 1 and 3.

122. With respect to claim 3 of the ‘840 patent and the 2011 ELITE Pure upper cam shown in paragraph 116, the cam body is constructed and arranged such that the sum of the two

sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.820 inches plus the distance of 1.982 inches, equals 3.802 inches, which is greater than 3 inches, and the cam body has a lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.92 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.820, or 2.92/1.820 = 1.604, which is approximately 1.6.

123. With respect to claim 5 of the ‘840 patent and the 2011 ELITE Pure upper cam shown in paragraph 116, the cam is mounted in a dual cam bow where the effective bowstring length is less than or equal to 92% of the axle to axle length of the bow, namely the axle to axle length is 35.75 inches and the effective bowstring length is 35.75 – (1.982 inches plus 2.061) = 31.707 inches, and 31.707/35.75*100 = 88.69%, which is less than 92%.

124. With respect to claim 6 of the ‘840 patent and the 2011 ELITE Pure upper cam shown in paragraph 116, the cam body includes an extension arm which extends a peripheral groove of the cam body.

125. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow is a compound bow.

126. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow has a pair of flexible resilient first and second bow limbs each bow limb having an inner and outer end.

127. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow has a handle connecting the inner ends of the bow limbs.

128. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow has a rotating member attached to the outer end of each bow limb.

129. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow has a bowstring arranged relative to the rotating members such that in use the bow has a rest position and a drawn position, such that when the bow is moved to the drawn position by pulling the bowstring each rotation member rotates about a rotation point and the bow limbs are flexed to store energy, and when the bowstring is released the rotating members rotate in the opposite direction and the bow limbs un-flex, where the movement of the bowstring and the bow limbs creates a forward force on the bow when the bow returns to the rest position.

130. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow has at least one of the rotating members having an elliptically shaped cam body.

131. With respect to claim 8 of the ‘840 patent and the 2011 ELITE Pure Bow, the upper cam is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.820 inches plus the distance of 1.982 inches, equals 3.802 inches, is greater than 3 inches.

132. With respect to claim 13 of the ‘840 patent, the 2011 ELITE Pure Bow has a cam body where the cam body has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.92 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.820, or 2.92/1.820 = 1.604, which is between 1 and 3 and has an effective

string length which is less than or equal to 95% of the axle to axle length of the bow, namely the axle to axle length is 35.75 inches and the effective bowstring length is 35.75 – (1.982 inches plus 2.061) = 31.707 inches, and 31.707/35.75*100 = 88.69%, which is less than 95%.

133. With respect to claim 15 of the ‘840 patent, the 2011 ELITE Pure upper cam shown in paragraph 116, is a cam having a non-circular cam body having a rotation point for journaling the body to a bow limb, the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.820 inches plus the distance of 1.982 inches, equals 3.802 inches, is greater than 3 inches.

134. With respect to claim 16 of the ‘840 patent and the 2011 ELITE Pure upper cam shown in paragraph 116, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.92 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.820, or 2.92/1.820 = 1.604, which is between 1 and 3.

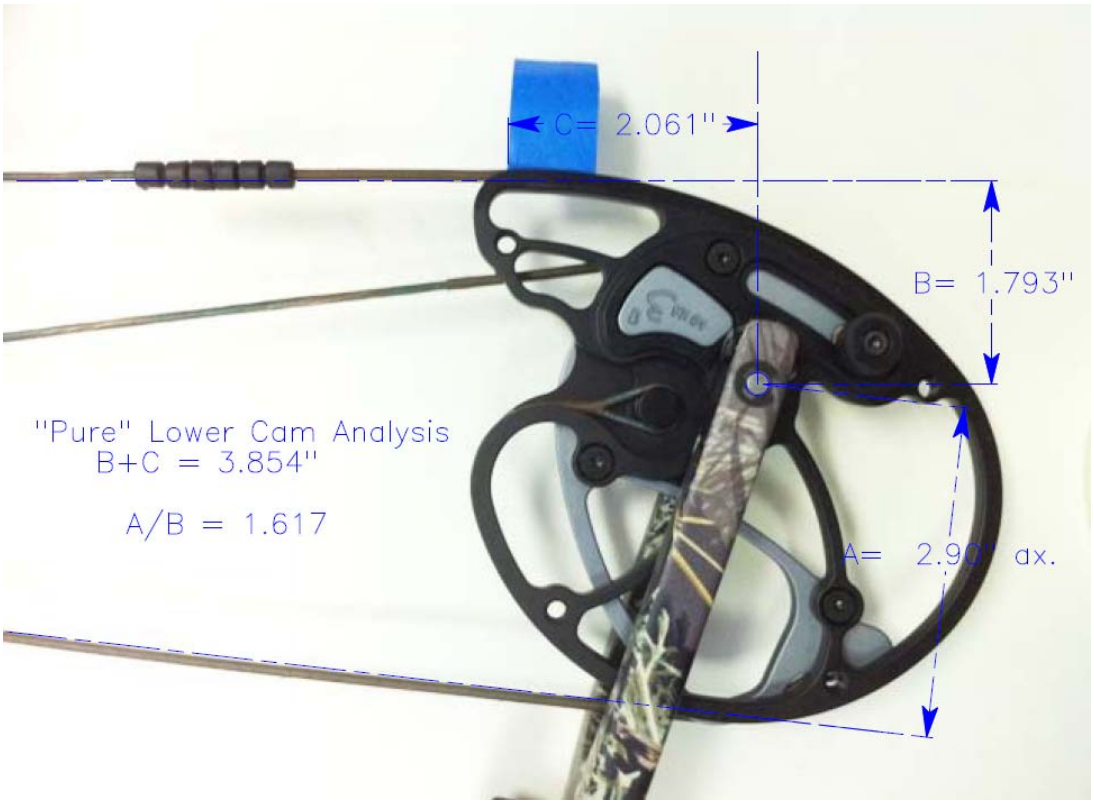
135. With respect to claim 17 of the ‘840 patent, the 2011 ELITE Pure Bow has an upper cam where the cam body has a rotation point for journaling the cam body to a bow limb, the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.820 inches plus the distance of 1.982 inches, equals 3.802 inches, is greater than 3 inches, and where the cam body has a lever

ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.92 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.820, or 2.92/1.820 = 1.604, which is approximately 1.6.

136. Plaintiff realleges paragraphs 1-135 herein.

The 2011 ELITE PURE Bow Lower Cam

137. The following photo shows the 2011 ELITE Pure lower cam of the 2011 ELITE Pure Bow:



138. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pure lower cam

shown in paragraph 137, the ELITE Pure lower cam is an elliptically shaped cam for use with a compound bow.

139. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pure lower cam shown in paragraph 137, the ELITE Pure lower cam has an elliptically shaped non-circular cam body having a rotation point for journaling the body to a bow limb.

140. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pure lower cam shown in paragraph 137, the cam body has a rest position and a drawn position in use with respect to the bow limb.

141. With respect to claim 1 of the ‘840 patent and the 2011 ELITE Pure lower cam shown in paragraph 137, the cam body is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.793 inches plus the distance of 2.061 inches, equals 3.854 inches, is greater than 3 inches.

142. With respect to claim 2 of the ‘840 patent and the 2011 ELITE Pure lower cam shown in paragraph 137, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.90 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.793, or 2.90/1.793 = 1.617, which is between 1 and 3.

143. With respect to claim 3 of the ‘840 patent and the 2011 ELITE Pure lower cam shown in paragraph 137, the cam body is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than

three inches, namely the distance of 1.793 inches plus the distance of 2.061 inches, equals 3.854 inches, which is greater than 3 inches, and the cam body has a lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.90 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.793, or 2.90/1.793 = 1.617, which is approximately 1.6.

144. With respect to claim 5 of the ‘840 patent and the 2011 ELITE Pure lower cam shown in paragraph 137, the cam is mounted in a dual cam bow where the effective bowstring length is less than or equal to 92% of the axle to axle length of the bow, namely the axle to axle length is 35.75 inches and the effective bowstring length is 35.75 – (1.982 inches plus 2.061) = 31.707 inches, and 31.707/35.75*100 = 88.69%, which is less than 92%.

145. With respect to claim 6 of the ‘840 patent and the 2011 ELITE Pure lower cam shown in paragraph 137, the cam body includes an extension arm which extends a peripheral groove of the cam body.

146. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow is a compound bow.

147. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow has a pair of flexible resilient first and second bow limbs each bow limb having an inner and outer end.

148. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow has a handle connecting the inner ends of the bow limbs.

149. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow has a

rotating member attached to the outer end of each bow limb.

150. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow has a bowstring arranged relative to the rotating members such that in use the bow has a rest position and a drawn position, such that when the bow is moved to the drawn position by pulling the bowstring each rotation member rotates about a rotation point and the bow limbs are flexed to store energy, and when the bowstring is released the rotating members rotate in the opposite direction and the bow limbs un-flex, where the movement of the bowstring and the bow limbs creates a forward force on the bow when the bow returns to the rest position.

151. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow has at least one of the rotating members having an elliptically shaped cam body, namely the lower cam.

152. With respect to claim 8 of the ‘840 patent, the 2011 ELITE Pure Bow lower cam is constructed and arranged such that the sum of the two sides of a right triangle defined by a bowstring contact point and the rotation point is greater than three inches, namely the distance of 1.793 inches plus the distance of 2.061 inches, equals 3.854 inches, is greater than 3 inches.

153. With respect to claim 13 of the ‘840 patent, the 2011 ELITE Pure Bow has a cam body where the cam body has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.90 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.793, or 2.90/1.793 = 1.617, which is between 1 and 3 and has an effective string length which is less than or equal to 95% of the axle to axle length of the bow, namely the axle to axle length is 35.75 inches and the effective bowstring length is 35.75 – (1.982 inches

plus 2.061) = 31.707 inches, and 31.707 / 35.75*100 = 88.69%, which is less than 95%.

154. With respect to claim 15 of the ‘840 patent, the 2011 ELITE Pure lower cam shown in paragraph 137, is a cam having a non-circular cam body having a rotation point for journaling the body to a bow limb the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.793 inches plus the distance of 2.061 inches, equals 3.854 inches, is greater than 3 inches.

155. With respect to claim 16 of the ‘840 patent and the 2011 ELITE Pure lower cam shown in paragraph 137, the cam has a lever ratio of between 1 and 3, namely the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.90 divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.793, or 2.90/1.793 = 1.617, which is between 1 and 3.

156. With respect to claim 17 of the ‘840 patent and the 2011 ELITE Pure Bow, the 2011 ELITE Pure Bow has a lower cam where the cam body has a rotation point for journaling the cam body to a bow limb, the cam body is constructed and arranged such that the rotation point and a bowstring contact point form the hypotenuse of a right triangle, and where the sum of the other two sides of a right triangle are greater than three inches, namely the distance of 1.793 inches plus the distance of 2.061 inches, equals 3.854 inches, which is greater than 3 inches, and where the cam body has a lever ratio of approximately 1.6, the lever ratio being the distance between the rotation point and the perpendicular of the tangent of the cable contact point, or 2.90

divided by the distance between the rotation point and the perpendicular of the tangent of the bowstring contact point, or 1.793, or 2.90/1.793 = 1.617, which is approximately 1.6.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment:

1. For a decree that Defendant has infringed the ‘840 patent;

2. For a permanent injunction restraining and enjoining Defendant, Defendant’s agents, servants, employees, officers, and those persons or corporations in active concert or participation with Defendants, from further infringement of the ‘840 patent pursuant to 35 U.S.C. §283;

3. For an accounting and damages against Defendant for all damages suffered by Plaintiff by reason of infringement of the ‘840 patent, including lost profits, but in no event less than a reasonable royalty, together with interest and costs pursuant to 35 U.S.C. §284;

4. For damages in an amount equal to three times the damages found or assessed, to compensate Plaintiff for the willful, deliberate and intentional acts of infringement by Defendants, pursuant to 35 U.S.C. §284;

5. For an award of reasonable attorney fees against Defendants pursuant to 35 U.S.C. §285, and

6. For such other and further relief as may be just and equitable in the circumstances.

JURY DEMAND

Plaintiff hereby demands a jury trial of all issues so triable.

Dated: November 22, 2011

s/ Richard A. Arrett

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